IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 11015 of 2005

Between:

Chindraboina Jagadish, S/o.Kondal Rao,

Process Server, Central Nazarath R/o. N.R.Peta, Eluru
West Godavari District.

..... PETITIONER

AND

1 The Registrar (Administration) High Court of Andhra Pradesh, Hyderabad.
2 Principal District Judge West Godavari District, Eluru W.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Certiorari or any other appropriate writ, order or directions, calling for the records relating to the impugned proceedings dt.13.12.2002 issued by the 2nd respondent and the impugned proceeding dt.31.3.2004 issued by the 1st respondent and quash the same as illegal, arbitrary, biased and unconstitutional, being violative of Article 14, 21 of the Constitution of India and also in violation of Principles of natural justice.

Counsel for the Petitioner:M R.B.S.V.PRAKASH KUMAR

Counsel for the Respondents: MR.C.V.NAGARJUNA REDDY

The Court made the following :

ORAL ORDER: (per the Hon'ble Sri Bilal Nazki, ACJ)

Petitioner was working as a Process Server at Central Nazarath, District Court, Eluru. He along with two others were punished as they were responsible for the accident of fire which had taken place in the Special Judicial First Class Magistrate Court (Excise), Eluru, during the intervening night of 1/2-4-2002. After enquiry, the petitioner was punished by withholding of two increments with cumulative effect.

Learned counsel for the petitioner submits that there was no evidence against the petitioner that he was responsible for the watch and ward of the building in which the fire occurred.

This was considered by the Enquiry Officer, the disciplinary authority and also by the High Court while rejecting the appeal. In these proceedings under Article 226 of the Constitution of India, we are not supposed to act as an appellate authority and we do not find any illegality in the impugned orders passed. Therefore, we do not find merit in this writ petition and it is accordingly dismissed. No costs.

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BILAL NAZKI, ACJ

DATE: 6th July, 2005

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G.CHANDRAIAH ,J

pnb

To

1 The Registrar (Administration), High Court of Andhra Pradesh, Hyderabad.
2 The Principal District Judge, West Godavari District, Eluru, W.G.District.

3 Two C.D copies.